

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAX RYAN TERRY,

Defendant.

Case No. 2:18-cr-00072-APG-NJK

ORDER VACATING TRIAL DATE

Magistrate Judge Koppe has ordered defendant Dax Ryan Terry to be held in a Bureau of Prisons facility to determine the likelihood of him attaining capacity to permit this case to go forward. ECF No. 123.

I THEREFORE ORDER that the February 26, 2024 trial date and all related dates (*see* ECF No. 120) are hereby vacated. New dates will be set if Mr. Terry has recovered sufficiently for the case to go forward. The period of time required by Mr. Terry's hospitalization and the court's determination of his competency to stand trial is excludable time under the United States Constitution, the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(A), and Rule 5.1 of the Federal Rules of Criminal Procedure.

DATED THIS day of December, 2023.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE